

DOCKET NO. 1879 CON III
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

DEC 12 2005

In re Application of: David C. Racenet, et al

Serial No.: 10/718,196

Examiner: Camlu Tran Nguyen

Filed: 11/20/2003

Art Unit: 3/63

For **TROCAR SEAL SYSTEM**

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450
Fax No.: (571) 273-8300
Attn: Examiner Camlu Tran Nguyen

CERTIFICATE OF FACSIMILE

Date of Transmission: December 12, 2005

I hereby certify that the following:

- ☒ This Certificate of Facsimile
- ☒ Response (2 pages)
- ☒ Terminal Disclaimer (1 page)
- ☒ Supplemental Information Disclosure Statement (2 pages)
- ☒ 1449 (1 sheet)

are being transmitted via facsimile to the Office of Initial Patent Examination's Filing Receipt Corrections, at fax number (571) 273-8300 on the Date of Transmission indicated above. The total number of pages being transmitted is 7.


Susan S. Rickard

United States Surgical, a division of
TYCO HEALTHCARE GROUP LP
150 Glover Avenue
Norwalk, CT 06856
Telephone: (203) 845-4489
Facsimile: (203) 845-4266

RECEIVED
CENTRAL FAX CENTER

DEC 12 2005

Docket No. 1879CON 111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David C. Racenet, et al.
Serial No.: 10/718,195 Examiner: Camai Tran Nguyen
Filed: 11/20/2003 Art Unit: 3763
For: TROCAR SEAT SYSTEM

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

In response to the telephone conversation today (December 7, 2005) between Michael D. Switzer, Attorney for Applicant, and Examiner Nguyen regarding the oral restriction requirement for the above referenced application, please consider the following remarks:

REMARKS

Applicants elect to prosecute the claims of Group I, claims 5-13 and 16-19. The remaining claims consisting of Group II (claims 14-15) are canceled without prejudice to continue prosecution of the subject matter of claims 14 and 15 in a subsequent application.

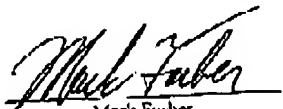
Applicant was advised a Terminal Disclaimer is required between instant claims 5-13, 16-19 and U.S. Patent No. 6,702,787. A Terminal Disclaimer is submitted by Applicant and is attached hereto. Please charge Deposit Account 21-0550 the Terminal Disclaimer fee.

Applicant also submits herewith an Information Disclosure Statement for consideration in the prosecution of this application. The Commissioner is hereby authorized to charge any fees required for the Supplemental Information Disclosure Statement to Deposit Account 21-0550 in the name of United States Surgical.

Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0250. TWO (?) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted

Dated: December 12, 2005


Mark Farber
Attorney for Applicants
Reg. No. 34,159

United States Surgical
A Division of Tyco Healthcare Group
150 Glover Avenue
Norwalk, CT 06856
(203) 845-1480